

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LARRY LISEK (#2014-0809083),)	
)	
Plaintiff,)	Case No. 15 C 2737
)	
v.)	
)	
DR. SELENE DAWALIBI and DR. PAUL,)	Judge Jorge L. Alonso
)	
Defendants.)	

ORDER

Defendants' motion to dismiss [15] is denied. The Court entered an initial review order pursuant to 28 U.S.C. § 1915A [4], finding that plaintiff pleaded in his complaint that he has received substantial medical treatment since he has been incarcerated at the Cook County Jail. However, the Court also noted that plaintiff has sufficiently pleaded inadequate pain management and delay in treatment, both of which sufficiently state a claim for deliberate indifference to a serious medical condition. *See Hayes v. Snyder*, 546 F.3d 516, 522 (7th Cir. 2008) (*citing Gutierrez v. Peters*, 111 F.3d 1364, 1373 (7th Cir. 1997)). The Court based its findings on plaintiff's pleading in his complaint that although he had seen doctors, "[a]s of February 25, 2015 I have had none of the above treatments" (physical therapy, pain shots, a pain clinic at Stroger Hospital, and pain medication previously ordered by a physician). (*See* Compl. at 5.) Plaintiff also pleads, "I've had no serious pain meds or treatments in over 6 months." (*Id.*) Courts screen prisoner litigation claims under section 1915A in the same manner as ordinary Federal Rule of Civil Procedure 12(b)(6) motions to dismiss. *See Maddox v. Love*, 655 F.3d 709, 718 (7th Cir. 2011). A motion under Rule 12(b)(6) challenges the sufficiency of the complaint. *See Hallinan v. Fraternal Order of Police of Chi. Lodge No. 7*, 570 F.3d 811, 820 (7th Cir. 2009). Because the Court has already found in its April 7, 2015 order that in his complaint plaintiff satisfied notice-pleading standards, thus stating a claim for deliberate indifference to a serious medical condition, defendants' motion to dismiss is denied. Defendants shall file their answer within 30 days of the date of this order. The July 23, 2015 motion hearing is stricken.

SO ORDERED.

ENTERED: July 20, 2015



JORGE L. ALONSO
United States District Judge